

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts  
Southern District of Texas

FILED

**March 29, 2025**

Nathan Ochsner, Clerk of Court

United States of America

v.

Jose Alexis BAEZA-COMBALUZIER

(MX / 1998)

Vicente GARCIA JR.

(USA / 2006)

*Defendant(s)*

Case No. 7:25-mj-00626

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 28, 2025 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*8 U.S.C. 1324(a)(1)(A)(ii), 1324(a)  
(1)(A)(v)(I), 1324(a)(1)(A)(v)(II),  
and 1324(b)(iv)Transporting aliens from a location in McAllen, Texas,  
to a location in Elsa, Texas, by means of vehicle,  
resulting in death

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.

Approved by AUSA D. Walker

/s/ Mathew Cooze

*Complainant's signature*Mathew Cooze  
Supervisory Border Patrol Agent - Intelligence*Printed name and title*Submitted by reliable electronic means, sworn to and  
attested telephonically per FED.R.CR.4.1, and probable  
cause found on:Date: March 29, 2025 at 8:52 p.m.City and state: McAllen, Texas*Judge's signature*

J. Scott Hacker, United States Magistrate Judge

*Printed name and title*

**ATTACHMENT A**

I, Mathew Cooze, am a United States Border Patrol Agent-Intelligence and have knowledge of the following facts:

1. On March 28, 2025, at approximately 8:45 a.m., USBP Agents were conducting surveillance near the intersection of Expressway 83 and Showers Road. At approximately 8:56 a.m., Agents observed a white Ford F-150, previously identified as being involved in alien smuggling, pass their location. Agents maintained surveillance on the vehicle as it arrived at an apartment complex located on South 10<sup>th</sup> Street behind the McDonalds.
2. At this location, Agents recognized the driver of the F-150 as Vicente GARCIA JR. The Ford F-150 then parked behind the apartment located at Toronto Avenue and S 9th Street.
3. A black, Ford Explorer was observed arriving and parking alongside the F-150, where a body swap of suspected illegal aliens (IAs) was conducted. A short while later, the Agent observed the Ford F-150 depart the location.
4. Approximately five minutes later, the Ford Explorer then departed the location and continued north towards Edinburg, Texas. During this time, Agents maintained constant surveillance on the Ford Explorer. Once in Edinburg, the Ford Explorer turned east on Ramseyer and traveled towards Elsa, Texas. The vehicle eventually turned south on Engelman Gardens Road, where it stopped at a low spot in a flooded road.
5. Once the Ford Explorer came to a stop, Agents, wearing their Border Patrol Vest with identifiers, approached the vehicle and announced themselves as Border Patrol Agents. As they approached the vehicle, they observed the driver to be a young, light-complected male subject, later identified as Jose Alexis BAEZE-COMBALUZIER.
6. The vehicle then accelerated and drove through the flooded area and continued south. Agents then drove south approximately half a mile, and discovered the vehicle had driven into the canal. An aerial view of the canal can be seen below:



7. Agents immediately jumped into the canal and were able to rescue five illegal aliens from various countries, to include Jose Alexis BAEZA-COMBALUZIER, Cristina Isabel Vargas-De Leon and Juana Veronica Macario-Chan. After Macario-Chan was rescued, she immediately told Agents her juvenile son, J.E.T.M., and her friend Elena Cataria Morale were still missing. A photograph of a rescuing Agent and illegal alien can be seen below:



8. Shortly after, Weslaco Fire Department (WFD) and Texas Department of Public Safety Troopers arrived on scene. Sometime later, WFD discovered Elena Catarina Morale floating further east in the canal. She was pronounced dead at the scene by the Justice of the Peace. Agents were unable to recover the vehicle from the canal.
9. On March 29, 2025, the vehicle was recovered from the canal. The body presumed to be J.E.T.M. was discovered inside of the vehicle. J.E.T.M. was pronounced dead by the Justice of the Peace. A photograph of the vehicle recovery can be seen below:



10. Jose Alexis BAEZA-COMBALUZIER provided a post-Miranda statement.
  - a. He stated he is an undocumented Mexican national who recently crossed into the United States. He stated he was at a stash house with a young man known as "Fresa" who recruited him to be a driver.
  - b. On today's date, BAEZA-COMBALUZIER stated "Fresa" instructed him to enter a black Ford Explorer and follow him to an undisclosed location. He stated "Fresa" was driving a white Ford F-150. BAEZA-COMBALUZIER stated he followed "Fresa" to a location where they met with other vehicles. At this location, BAEZA-COMBALUZIER stated several subjects exited other vehicles and entered the black Ford Explorer he was driving.
  - c. From there, "Fresa" advised to follow him. BAEZA-COMBALUZIER stated "Fresa" provided him with the pindrop of a house where he was to drop off the subjects he had just picked up. BAEZA-COMBALUZIER stated "Fresa" was following him for a period of



time. BAEZA-COMBALUZIER stated he attempted to drive to the location provided by "Fresa" but was not able to find it. BAEZA-COMBALUZIER stated he got lost and ended up near a flooded road and had to stop.

- d. While he was stopped at the flooded road, BAEZA-COMBALUZIER stated a vehicle approached him from with its emergency lights on. BAEZA-COMBALUZIER stated he got scared and decided to drive away. As he was attempting to leave the area, BAEZA-COMBALUZIER stated he lost control of the vehicle which rolled into a flooded canal. BAEZA-COMBALUZIER stated he and the people he picked up earlier got swept away by the current but were eventually saved by law enforcement who were nearby.
- e. BAEZA-COMBALUZIER was shown a six-pack photo lineup of Vicente GARCIA Jr. and positively identified him as "Fresa".

11. Cristina Isabel Vargas-De Leon provided a post-Miranda statement.

- a. Vargas-De Leon Stated she in an undocumented Guatemalan national who crossed into the United States earlier this morning. Vargas-De Leon stated she was going to pay \$145,000 Guatemalan Quetzales to get smuggled to Utah. Vargas-De Leon stated she crossed into the United States with 11 other illegal aliens.
- b. After crossing the river, she was transported to a stash house in Roma, Texas. Vargas-De Leon stated a male, later identified as Vicente GARCIA Jr, was the caretaker. Vargas-De Leon stated GARCIA transported her to an unknown location and met a small black vehicle. Vargas-De Leon stated GARCIA instructed her to get inside of the black vehicle. Vargas-De Leon stated she sat in the front seat and the driver of the black vehicle, later identified as Jose Alexis BAEZA-COMBALUZIER, instructed her to put on her seat belt.
- c. Vargas-De Leon stated this was the first time she met BAEZA-COMBALUZIER. Vargas-De Leon stated one male, two females, and two male juveniles arrived after her and BAEZA-COMBALUZIER told them to get down and sit on the floorboard. Vargas-De Leon stated they all departed and traveled approximately 20 minutes.
- d. Vargas-De Leon stated BAEZA-COMBALUZIER began driving erratically and instructed her to take off her seatbelt and to duck down. Vargas-De Leon stated they crashed into a canal and BAEZA-COMBALUZIER told them to run.
- e. Vargas-De Leon stated a female drowned and she didn't see if one of the male juveniles made it out. Vargas-De Leon stated she

feared for her life during the smuggling event. When presented a photo lineup, Cristina Isabel Vargas-De Leon identified Jose Alexis BAEZA-COMBALUZIER as the driver of the vehicle. When presented a photo lineup, Cristina Isabel Vargas-De Leon identified Vicente GARCIA Jr as the caretaker of the stash house and as the person who transported her to the load vehicle.

12. Juana Veronica Macario-Chan provided a post-Miranda statement.
  - a. Macario-Chan stated she is an undocumented Guatemalan national who crossed into the United States earlier this morning. Macario-Chan stated she was going to pay \$125,000 Guatemalan Quetzales to get smuggled to Los Angeles, California. Macario-Chan stated she crossed into the United States with her two juvenile sons, Elena Catarina Morales-Chan, and six other illegal aliens. After crossing the river, they were transported to a stash house at an unknown location.
  - b. Macario-Chan stated a young male, later arrived at the stash house location and picked up her up, her two sons, Morales-Chan and a male subject. Macario-Chan stated they were transported to an unknown location and met a small black vehicle. Macario-Chan stated the driver of the black SUV, later identified as Jose Alexis BAEZA-COMBALUZIER, instructed them to get inside. Macario-Chan stated one of the females that had crossed the river with her was already sitting in the front seat.
  - c. Macario-Chan stated after they got inside of the black SUV, the driver instructed them to lay down in the back and hide. Macario-Chan later identified the driver as Jose Alexis BAEZA-COMBALUZIER. Macario-Chan stated this was the first time she met BAEZA-COMBALUZIER.
  - d. Macario-Chan stated they all departed and traveled for approximately 20 minutes. Macario-Chan stated BAEZA-COMBALUZIER began driving erratically and crashed into the canal. Macario-Chan stated she and her 13-year-old son made it out of the vehicle, but she never saw her 14-year-old son, J.E.T.M., come out of the water. Macario-Chan stated Morales-Chan drowned and saw her body floating in the canal. Macario-Chan stated she feared for her and her children's lives during the smuggling event. When presented a photo lineup, Juana Veronica Macario-Chan identified Jose Alexis BAEZA-COMBALUZIER as the driver of the vehicle.